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**Letter dated 16 November 2005 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council**

In accordance with the decision of the Security Council (S/2005/694), I have the honour to enclose herewith a report on my visit to Ethiopia and Eritrea from 6 to 9 November 2005 in my capacity as Chairman of the Security Council Working Group on Peacekeeping Operations.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Kenzo **Oshima**
Permanent Representative of Japan to the United Nations

05-60916 (E) 181105

**Annex to the letter dated 16 November 2005 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council**

**Report on the visit to Ethiopia and Eritrea by Ambassador Kenzo Oshima**

# I. Introduction

1. By his letter dated 2 November 2005 (S/2005/694), the President of the Security Council informed the Secretary-General that the Council had decided to send me to Addis Ababa and Asmara to conduct a fact-finding mission on the current situation involving the United Nations Mission in Ethiopia and Eritrea (UNMEE). The terms of reference of my visit are included as an annex to that letter.

2. I visited Ethiopia and Eritrea from 6 to 9 November 2005. In Addis Ababa and Asmara, I held meetings with representatives of UNMEE, countries contributing troops and other military personnel to UNMEE and other members of the diplomatic community. In Addis Ababa, I met with Seyoum Mesfin, Foreign Minister of Ethiopia, on 7 November. On 8 November, I paid a visit to Sector East headquarters at Assab, Eritrea, on my way to Asmara. On the same date, in Asmara, I had the opportunity to meet with Colonel Zecarias Ogbagaber, Acting Commissioner, Commission for Coordination with UNMEE, and with Yemane Gebremeskel, Director of the Office of the President of Eritrea.

3. I would like to express my appreciation to the two Governments for the courtesies extended to me during the trip. I am also grateful to the Special Representative of the Secretary-General, Legwaila Joseph Legwaila, and to UNMEE for having so effectively arranged my programme and for making the practical arrangements for my travel.

# II. Activities of the Mission

### Meeting with the United Nations Mission in Ethiopia and Eritrea

4. I held extensive discussions with Special Representative Legwaila and his staff. I also received operational briefings on the situation from Major General Rajender Singh and his staff. According to UNMEE, the current situation is tense and potentially volatile and could deteriorate further. Both Ethiopia and Eritrea have been moving their military forces. Ethiopia has been reinforcing its military in areas adjacent to the Temporary Security Zone, while Eritrea may be doing the same outside the Zone, although UNMEE does not have full capability to verify such movement owing to the restrictions imposed by Eritrea. The restrictions have caused serious problems in terms of both operation and administration, the most serious one being the ban on helicopter flights, which has reduced UNMEE monitoring capabilities by 60 per cent and seriously affected medical evacuations. I noted the concern of UNMEE that, if the two sides continue to strengthen their military postures, the possibility of the resumption of armed conflict through miscalculation cannot be excluded, given the atmosphere of mutual mistrust.

5. On behalf of the Council, I conveyed our deep appreciation for the contributions and dedication of UNMEE staff and of the contributing countries.

**Meetings with representatives of the contributing countries and other members of the diplomatic community**

6. At the meetings held in each capital, the same difficult dilemma was expressed by the contributing countries: while they wish to maintain the presence of their troops and other personnel, who carry out important tasks for UNMEE, the restrictions are impeding the Mission's operation and putting their personnel at unreasonable risk. On behalf of the Security Council, I expressed deep appreciation and appealed to the representatives of the contributing countries to persevere in maintaining their presence.

7. There was a unified appeal from the contributing countries for the urgent removal of the restrictions imposed on UNMEE. At the same time, it was acknowledged that behind the action taken by Eritrea were its frustrations over the refusal of Ethiopia to accept the Eritrea-Ethiopia Boundary Commission's decision unequivocally and to proceed with demarcation of the border without preconditions. Regarding the question of how to break the stalemate, there were some differences in assessment between those based in Addis Ababa and those based in Asmara. Some considered Ethiopia's call for dialogue a more realistic approach than Eritrea's insistence on implementation of the Boundary Commission's decision "as is", while others showed more understanding of the underlying cause of Eritrea's frustrations. Despite the difficulties faced by UNMEE, many believed that its withdrawal would have devastating consequences.

**Meeting with Seyoum Mesfin, Foreign Minister of Ethiopia**

8. Foreign Minister Seyoum generally reiterated the position set out in his letter to the President of the Council dated 31 October 2005 (S/2005/690, annex) and the "five-point peace proposal" put forward on 25 November 2004 (see S/2004/943, annex, enclosure I) that Ethiopia "accepts in principle" the Boundary Commission's decision as final and binding. In response to my request for clarification, the Minister emphasized that Ethiopia was not asking for partial or total renegotiation of the decision, but rather believed that the decision should be implemented in a practical rather than a mechanical manner, pointing to locations to be reviewed since both Ethiopian as well as Eritrean communities and villages would be affected. He also stressed that Ethiopia and Eritrea needed to address, as the Algiers Agreements provide, not only the border issue but also a range of other issues, including economic and trade issues, compensation and access for Ethiopia to the sea, and underscored the importance of normalizing relations with a view to achieving peace and stability.

9. The Minister stated that Ethiopia had recalled its troops after the Algiers Agreements to allow UNMEE to create the Temporary Security Zone. He indicated that Ethiopia was reorganizing its positions in view of the posts vacated by UNMEE and the recent concentration of Eritrean forces, in particular in Sector West, stressing that the redeployment of troops was for defensive purposes. When I conveyed the Security Council's concern over the situation, he stated that Ethiopia would exercise maximum restraint, neither being the first party to open fire nor allowing itself to be provoked. The Minister, criticizing Eritrea for blackmailing the

Council through the imposition of restrictions on the Mission's freedom of movement, emphasized that the Council must not act in ways that would have the effect of rewarding Eritrea's actions.

**Meeting with Yemane Gebremeskel, Director of the Office of the President of Eritrea**

10. Yemane Gebremeskel stated that the current difficulties were a direct result of the violation by Ethiopia, namely, its refusal to accept the Boundary Commission's decision as final and binding and to fully comply with it. He stressed that only the full and faithful implementation of the decision could resolve the impasse. He criticized the Security Council for ignoring for too long the main reason for the stalemate and for failing to compel Ethiopia to accept the border ruling as provided in the Algiers Agreements and to proceed with demarcation without preconditions.

11. He rejected the idea of a special envoy of the Secretary-General, saying that it would violate the Algiers Agreements. He also rejected the expansion of the mandate of the Special Representative of the Secretary-General to include political matters.

12. I conveyed to Mr. Yemane the Security Council's concern and urged his country to exercise maximum restraint. He deplored the military build-up by Ethiopia along the border areas as provocative. He said that Eritrea wanted a peaceful solution but warned that unintended consequences could result unless the main problem was addressed promptly.

13. I raised with Mr. Yemane the risks to UNMEE personnel resulting from the helicopter flight ban. While taking note of those concerns, he pointed out that a large number of Eritrean people living near the border could be affected if armed conflict resumed as a result of the continuing failure of the Security Council to address the major issue.

## III. Observations

14. I wish to present the following observations as the Chairman of the Security Council Working Group on Peacekeeping Operations:

(a) The current stalemate is filled with risk, and any incidents resulting therefrom may cause further deterioration in the situation. To avoid the resumption of hostilities between Ethiopia and Eritrea, the Security Council needs to give serious attention to the question of how to help break the stalemate;

(b) The restrictions on UNMEE and, in particular, the ban on helicopter flights, which are a clear violation of the Algiers Agreements and seriously impede the Mission's operational capabilities and put its personnel at risk, should be removed as quickly as possible. Therefore, Eritrea must be persuaded to lift the restrictions. In view of the difficulties and risks faced by UNMEE and the contributing countries, the Security Council must hasten consideration of a new resolution urging in the strongest terms that Eritrea lift the restrictions;

(c) Full acceptance of and compliance with the Boundary Commission's decision by Ethiopia must be achieved urgently. Failure to do so would be a

violation of the Algiers Agreements. In this regard, the new resolution should urge Ethiopia, for its part, to fully accept and implement the decision;

(d) At the same time, the Council should ask the Secretary-General and the countries that have influence on the two parties to launch a new series of vigorous diplomatic initiatives to break the stalemate. While the idea of a special envoy of the Secretary-General appears unacceptable to one of the parties, we should continue our efforts to engage with the parties to end the crisis. The new resolution should support diplomatic efforts to be undertaken. The Council must give careful consideration to the timing and language of such a resolution, bearing in mind the tense and delicate nature of the current situation.

15. Lastly, I wish to express my renewed appreciation to Special Representative Legwaila and his staff, as well as to the contributing countries, for their dedication to United Nations peacekeeping despite the difficulties they are facing.